

IFW

Attorney Docket No. NEX87/C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|--|---|------------------------|
| APPLICANT: | PAGRATIS ET AL. | } | EXAMINER: |
| SERIAL NO.: | 10/812,642 | | ART UNIT: 1634 |
| FILED: | MARCH 30, 2004 | | CONFIRMATION NO.: 5220 |
| TITLE: | HIGH AFFINITY TGF β NUCLEIC ACID LIGANDS AND INHIBITORS | | |

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Applicant calls the Examiner's attention to the patents and publications listed on the attached Form PTO-1449, copies of required documents enclosed, which may be material to examination of the above identified application.

TIME OF TRANSMITTAL

This Information Disclosure Statement is being filed under 37 CFR § 1.97(b). This Statement is filed within at least one of the following time periods:

- (a) within three months of the filing date of a national application (other than a CPA under 37 CFR § 1.53(d));
- (b) within three months of the date of entry of the national stage as set forth in 37 CFR § 1.491 in an international application;
- (c) before the mailing of a first Office Action of the merits; or
- (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR § 1.114.

No fee is believed to be due in this instance. However, the undersigned hereby authorizes the charging of any fees created by the filing of this document to Deposit Account No. 19-5117.

37 CFR 1.8

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 6/15/04


Signature: Tasha L. Cove

Name: Tasha L. Cove

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. This listed patents and publications are believed of interest herein and consideration and citation of as interest by Examiner is respectfully requested.

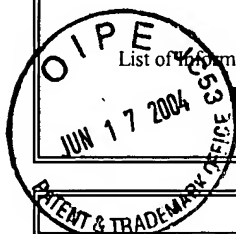
Respectfully submitted,

Date: June 15, 2004


Darla G. Yoerg, #48,053
Swanson & Bratschun, L.L.C.
1745 Shea Center Drive, Suite 330
Highlands Ranch, Colorado 80129
Telephone: (303) 268-0066
Facsimile: (303) 268-0065

S:\CLIENT FOLDERS\GILEAD (FORMERLY NEXSTAR)\NEX87\C\2\IDS.DOC

| | | |
|---|-------------------------------------|---------------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE List of Information Cited by Applicant Page 1 of 2 | ATTY. DOCKET NO. NEX87/C2 | SERIAL NO. 10/812,642 |
| | APPLICANT PAGRATIS ET AL. | |
| | FILING DATE 3/30/04 | GROUP 1634 |



| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|----|--------------------|---------|-----------------|-----|-------------|--------------|
| EXAM. INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLS | SUB- CLS | FILE DATE |
| | AA | 5,723,323 | 03/1998 | Kauffman et al. | | | |
| | AB | 5,731,424 | 03/1998 | Toothman et al. | | | |
| | AC | 5,859,228 | 01/1999 | Janjic et al. | | | |
| | AD | 6,011,020 | 01/1900 | Gold et al. | | | |
| | AE | | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | |
|--------------------------|----|--------------------|---------|---------|-----|------------|------------|
| EXAM. INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLS | SUB CLS | TRANS ? |
| | AF | WO 91/19813 | 12/1991 | PCT | | | |
| | AG | WO 92/14843 | 09/1992 | PCT | | | |
| | AH | WO 89/06694 | 07/1989 | PCT | | | |
| | AI | 2 183 661 A | 06/1987 | UK | | | |
| | AJ | | | | | | |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | |
|---|----|--|
| | AK | Joyce (1989) Gene 82:83 |
| | AL | Joyce & Inoue (1989) Nucleic Acids Research 17:711 |
| | AM | Ellington & Szostak (1990) Abstracts of papers presented at the 1990 meeting on RNA Processing, Cold Spring Harbor Laboratory, Cold Spring Harbor, NY, p. 84 |
| | AN | Kinzler & Vogelstein (1989) Nucleic Acids Research 17:3645 |
| | AO | Kramer et al. (1974) J. Mol. Biol. 89:719 |
| | AP | Levisohn & Spiegelman (1969) Proc. Natl. Acad. Sci. USA 63:805 |
| | AQ | Levisohn & Spiegelman (1968) Proc. Natl. Acad. Sci. USA 60:866 |
| | AR | Oliphant et al. (1989) Mol. Cell. Biol. 9:2944 |
| | AS | Oliphant & Struhl (1988) Nucleic Acids Research 16:7673 |
| | AT | Oliphant & Struhl (1987) Methods in Enzymology 155:568 |
| | AU | Oliphant et al. (1986) Gene 44:177 |
| | AV | Robertson & Joyce (1990) Nature 344:467 |
| | AW | Szostak, "Structure and Activity of Ribozymes," in Redesigning the Molecules of Life, (S.A. Benner ed.) Springer-Verlag Berlin Heidelberg, pp. 87-113 (1988) |
| | AX | Thiesen & Bach (1990) Nucleic Acids Research 18:3203 |
| EXAMINER | | DATE CONSIDERED |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | |

| | | |
|---|-------------------------------------|---------------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE List of Information Cited by Applicant Page 2 of 2 | ATTY. DOCKET NO. NEX87/C2 | SERIAL NO. 10/812,642 |
| | APPLICANT PAGRATIS ET AL. | |
| | FILING DATE 3/30/04 | GROUP 1634 |

| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|----|--------------------|--------|-----------------|-----|-------------|--------------|
| EXAM. INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLS | SUB- CLS | FILE DATE |
| | BA | 6346611 | 2/2002 | PAGRATIS ET AL. | | | |
| | BB | 6124449 | 9/2000 | GOLD ET AL. | | | |
| | BC | | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | |
|--------------------------|----|--------------------|---------|---------|-----|------------|------------|
| EXAM. INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLS | SUB CLS | TRANS ? |
| | BD | WO 96/38579 | 12/1996 | PCT | | | |
| | BE | WO 98/18480 | 5/1998 | PCT | | | |
| | BF | WO 99/48904 | 9/1999 | PCT | | | |
| | BG | | | | | | |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | |
|---|----|--|
| | BH | Database EMBL Online (1997) Database accession: AAT57879, XP-002228934 |
| | BI | |
| EXAMINER | | DATE CONSIDERED |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | |

S:\CLIENT FOLDERS\GILEAD (FORMERLY NEXSTAR)\NEX87\C\2\IDS.DOC